

4-10-07

Docket No.: 20050/0200479-USO
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Satoshi Mizutani et al.

Application No.: 10/706,303

Confirmation No.: 5755

Filed: November 10, 2003

Art Unit: 3761

For: INTERLABIAL PAD AND PACKAGE

Examiner: K. M. Reichle

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request a refund of the \$2,160 five-month extension of time fees erroneously charged to our Deposit Account No. 04-0100 on February 6, 2007 for the above-identified application.

On January 26, 2007, Applicants electronically filed a Response to Non-compliant Amendment (mailed December 26, 2006) in the U.S. Patent & Trademark Office. A copy of our Electronic Acknowledgement Receipt of January 26, 2006 is attached herewith as Exhibit A. Since the Response was filed within one month of the mailing date of the Notice of Non-Compliant Amendment, no fee was necessary.

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Amendment dated April 10, 2007

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Accordingly, Applicants respectfully request a refund of \$2,160.00. Please credit the refund to Deposit Account No. 04-0100 in the name DARBY & DARBY P.C.

Dated: April 10, 2007

Respectfully submitted,

By 

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Exhibit A

Electronic Acknowledgement Receipt

EFS ID:	1468905
Application Number:	10708303
International Application Number:	
Confirmation Number:	5755
Title of Invention:	Interlabial pad and package
First Named Inventor/Applicant Name:	Satoshi Mizutani
Customer Number:	7278
Filer:	Jay Philip Lessler/Lillian Garcia
Filer Authorized By:	Jay Philip Lessler
Attorney Docket Number:	20050/0200479-USO
Receipt Date:	26-JAN-2007
Filing Date:	10-NOV-2003
Time Stamp:	15:28:30
Application Type:	Utility

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Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1		00982600.PDF	73831	yes	10

Multipart Description/PDF files in .zip description					
Document Description			Start	End	
Miscellaneous Incoming Letter			1	1	
Amendment - After Non-Final Rejection			2	2	
Specification			3	3	
Claims			4	8	
Applicant Arguments/Remarks Made in an Amendment			9	10	
Warnings:					
Information:					
2	Specification	00982605.PDF	375322	no	41
Warnings:					
Information:					
3	Specification	00982611.PDF	313385	no	41
Warnings:					
Information:					
Total Files Size (In bytes):			762538		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p>New Applications Under 35 U.S.C. 111 If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p>National Stage of an International Application under 35 U.S.C. 371 If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					

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AMENDMENTS TO THE SPECIFICATION

In response to the objection to the specification, clean and marked-up copies of a substitute specification are attached herewith. Applicants submit that no new matter is introduced.

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AMENDMENTS TO THE CLAIMS

Claim 1 (currently amended): An interlabial pad for absorbing body fluid having an elongated shape comprising:

a face adapted to face a body;

an opposite face adapted to face a garment; [[:]]

a cavity for finger insertion formed along a longitudinal direction on the opposite face;

a cavity opening for guiding a fingertip inserted therein to the remainder of the cavity at one end of the cavity; and

a mini-sheet which covers a portion of the opposite face across one lateral side to another lateral side of the interlabial pad and also having a length in the longitudinal direction on the opposite face, [[:]]

wherein the cavity has a finger restriction portion ~~at an end of the cavity~~ for the finger insertion adapted to stop a finger at a position corresponding to ~~[[the]]~~ a position of a vagina of a wearer, [[:]] wherein the cavity ~~[[is]]~~ being formed in between the opposite face and the mini-sheet piece, [[: and]]

wherein the finger restriction portion is formed with the opposite face that is folded to have two portions of the opposite face facing each other, at least a part of each of the two portions being bonded to each other at another end of the cavity in the longitudinal direction.

wherein the mini-sheet covers a part of the opposite face that includes the another end of the cavity at which the two portions of the opposite face are bonded to each other, and

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wherein a cross-sectional area of the cavity is gradually narrowed in a direction of the
another end of the cavity such that the finger of the wearer that is inserted can be stopped mini-sheet
piece is bonded at each lateral side of the interlabial pad.

Claims 2-5 (canceled).

Claim 6 (currently amended): The interlabial pad according to claim 1, wherein an interval
dimension ~~[[of]]~~ between the opening for finger insertion and said finger restriction portion is 10%
to 80% of a length in the longitudinal direction of the opposite face.

Claim 7 (currently amended): The interlabial pad according to claim 1, further comprising a
front end,

wherein the cavity opening is disposed at a location that is 40% from the front end of the
interlabial pad, and

wherein said finger restriction portion is disposed at a location that is 90% ~~[[form]]~~ from the
front end of the interlabial pad.

Claim 8 (withdrawn): The interlabial pad of claim 1, wherein said finger insertion
restriction portion comprises a fingertip exit for protruding the nail tip of the inserted finger.

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Claim 9 (currently amended): The interlabial pad according to claim 1, wherein said finger restriction portion is disposed at a predetermined distance from one longitudinal end towards the center [[or]] of the interlabial pad on the opposite face.

Claim 10 (withdrawn): The interlabial pad of claim 1, wherein said finger insertion cavity comprises a finger insertion compulsory portion for tilting compulsorily the finger insertion direction toward said finger insertion restriction portion on the opposite side face to body.

Claim 11 (withdrawn): The interlabial pad of claim 10, wherein said finger insertion compulsory portion is formed by a shape of folding said mini sheet piece into said finger insertion cavity.

Claim 12 (previously presented): The interlabial pad according to claim 1, wherein the interlabial pad is used together with a sanitary napkin.

Claim 13 (previously presented): The interlabial pad according to claim 1, wherein said interlabial pad is for incontinence.

Claim 14 (previously presented): The interlabial pad according to claim 1, wherein said interlabial pad is for absorbing vaginal discharge.

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Claim 15 (withdrawn): A wrapping body comprising an interlabial pad; and
a wrapping container containing said interlabial pad, wherein said interlabial pad is
contained and folded such that said finger insertion opening opens when said wrapping container is
unwrapped.

Claim 16 (withdrawn): The wrapping body of claim 15, wherein said wrapping container
comprises a mark indicating an unwrapping direction which is the same direction as an insertion
direction of the finger into said finger insertion opening.

Claim 17 (withdrawn): The wrapping body of claim 16, wherein said mini sheet piece in
said interlabial pad is folded outwardly in a shape swelling toward the body side.

Claim 18 (previously presented): The interlabial pad according to claim 1, wherein a length
of the mini sheet piece is between 50% and 80% of a longitudinal length of the interlabial pad.

Claim 19 (withdrawn): The interlabial pad according to claim 1,
wherein the interlabial pad is formed with adhesion on a part of the face adapted to face a
body to be in contact with a genital area of the body.

Claim 20 (withdrawn): The interlabial pad according to claim 1,
wherein the mini-sheet is formed as a water permeable sheet.

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Claim 21 (new): The interlabial pad according to claim 1,
wherein the mini-sheet is attached so as to be in direct contact with the opposite face except
for a portion of the cavity, and the mini-sheet is arranged at a side of the cavity, being opposite to
the cavity opening.

Claim 22 (new): The interlabial pad according to claim 1,
wherein the mini-sheet is bonded to the opposite face at the lateral sides and at the side of
the another end of the cavity.

Claim 23 (new): The interlabial pad according to claim 22, further comprising:
a first portion for bonding the opposite face to the face adapted to face the body; and
a second portion for bonding the mini-sheet to the opposite face,
wherein the first portion and the second portion are offset.

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REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 8, 10, 11, 15-17, 19 and 20 remain withdrawn for further consideration.

Claim 2 was previously canceled.

Claims 3-5 are canceled without prejudice or disclaimer of the subject matter therein.

Claims 21-23 are added without the introduction of new matter.

Claims 1, 6, 7 and 9 are amended without the introduction of new matter.

Claims 1 and 6-23 are pending.

In the Notice of Non-Compliant Amendment mailed December 26, 2006, the Examiner states that "claim 5 is redundant," and that "[c]laim 21 also appears to missing a word or words." In response, claim 5 is canceled, and new claim 21 now recites as noted above in this present response. Amendments to claims 1, 6, 7 and 9, and new claims 22 and 23 remain the same as indicated in the response filed on September 21, 2006.

II. Status of the Specification

In the Notice, the Examiner objects to the Specification because of informalities. In response, clean and marked-up copies of a substitute Specification are attached with the present response as noted above. The substitute Specification addresses the informalities to which the Examiner objected. Accordingly, Applicants respectfully request the withdrawal of the objection.

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CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: January 26, 2007

Respectfully submitted,

By 

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